

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

MONNICA GARCIA,
*as Personal Representative of the
estate of Anthony Mancini,*

Plaintiff,

vs.

No. CIV 14-1075 KG/SCY

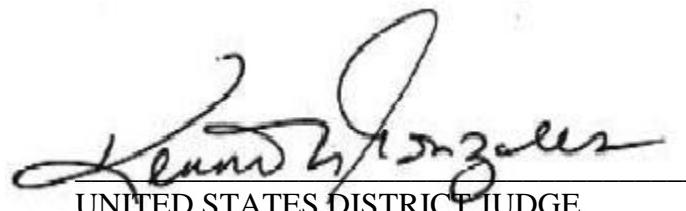
CCA OF TENNESSEE, LLC, *et al.*,

Defendants.

ORDER

This matter comes before the Court on Plaintiff's Motion to Remand to the Second Judicial District Court of New Mexico, (Doc. 17). Having considered the motion, Defendants' Response (Doc. 24), Plaintiff's Reply (Doc. 25), and hearing argument from counsel on August 25, 2015, in a telephonic hearing, the Court finds that pursuant to Federal Rule of Civil Procedure 21, Torrance County Detention Facility is dropped as a party. *Grupo Dataflux v. Atlas Global Group, L.P.*, 541 U.S. 567, 571 (2004) (discussing well-settled exception to time-of-filing rule in Rule 21 that "invests district courts with authority to allow a dispensable nondiverse party to be dropped at any time"). Accordingly, the Court has diversity subject matter jurisdiction and, therefore, the Motion to Remand is denied.

IT IS SO ORDERED.



UNITED STATES DISTRICT JUDGE